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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,935	12/08/2003	Kia Silverbrook	ZE017US	9658

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

STEPHENS, JUANITA DIONNE

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.



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Paper No. 20060517

Appl No.: 10/728,935
Applicant: Silverbrook et al
Filed: December 8, 2003

**DECISION ON PETITION
UNDER 37 CFR 1.181 on
Finality of Office Action**

This is a decision on the "Petition under 37 CFR 1.181" filed August 29th, 2005.

Applicant has petitioned for a Notice of Allowance with respect to the claims filed on July 27th 2005 or alternatively a withdrawal of finality of the Office Action issued on July 11th, 2005. A Notice of Allowance is non-petitionable subject matter, which depends upon a determination by the Examiner during normal prosecution of the application. The finality of the Office Action issued on July 11th, 2005 is deemed to be proper. Further the finality of the Office action is moot in view of Applicant's subsequent Request for Continued Examination (RCE) filed on August 29th, 2005.

Applicant has also requested a refund of the fee for filing the RCE. This is interpreted as a request to withdraw the RCE along with its associated fee. Since there is no statement by the Applicant that the RCE was filed in error, the RCE will not be withdrawn. Further a petition of this nature should be filed under 37 CFR 1.183.

The petition is DENIED.

The application is being forwarded to the examiner for further action.

Arthur T. Grimley
Director
Group 2800